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EXAMINER

SHIFERAW, ELENI A

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2136

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/733,516

Applicant(s)

MARITZEN ET AL.

Examiner

Eleni A Shiferaw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 0200.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04/23/01 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>7</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-19 are presented for examination.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "130" and "205" have both been used to designate privacy card, "250" and "360" have both been used to designate privacy card, etc. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The abstract is objected because it is too short and did not describe the disclosure sufficiently.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-8 and 10-13, and 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (Davis, U.S. Patent No. 6,378,073) in view of Foladare et al. (Foladare, U.S. Patent 6,044,267)

6. As per claim 1, Davis teaches portable base station (transmitter); (Col. 2 lines 4-18, col. 17 lines 1-16, Fig. 9)

smart card that reads a limited function access device that interacts with portable base station; (Col. 12 lines 30-60, Fig. 9)

Davis fails to explicitly teach a multifunctional base station.

However, Foladare discloses a multifunctional cordless phone base station. (Col. 5 lines 50-65)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Davis and Foladare, because it would communicate with the cordless base station, and if the cordless cellular telephone (CCT) is not within range of the home cordless base station, the call is forwarded by the land-line telephone network to the cellular network with the mobile identification number in order to complete a cellular call to the CCT. It would also send data comprising secure financial transactions over existing paging infrastructure equipment, using paging protocols.

7. As per claim 2, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Foladare teaches a wireless communication device. (Col. 4 lines 55-66). The rationale for combining are the same as claim 1 above.

8. As per claim 3, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Davis teaches the communication between the portable base station (904) and smart card (920) that reads the limited function access device, to communicate with a remote device (914). (Fig. 9, col. 12 lines 30-60).

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9. As per claim 4, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Davis teaches a bank (914) and groceries (916) that reads point of sale device. (Fig. 9, Col. 12 lines 30-60).

10. As per claim 5, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Davis teaches a distribution channel that reads a communication channel between the multifunctional portable base station and the limited function access device. (Col. 5 line 1-60, Fig. 8).

11. As per claim 6, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Davis teaches a wireless communication link to origination of secure financial transaction message using a reverse or inbound channel received by distributed receiver sites (908). (Col. 13 lines 13-40).

12. As per claim 7, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Davis teaches a credit card payments or purchases that reads a chip affixed to group consisting of a card. (Col. 13 lines 13-40).

13. As per claim 8, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Davis teaches financial transaction such as

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bank withdrawals, deposits, credit card payments, or purchases by uniquely identifying user information; (Col. 13 lines 45-54)

Data integrity assures that information has not been altered by unauthorized or unknown means. (Col. 13 lines 40-65).

14. As per claim 10, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Davis teaches the limited function access device (smart card (920)) is physically separate from the base station (908). (Fig. 9), and there is no need to physically connection for financial transaction. (Col. 14 lines 15-40).

15. As per claim 11, the combination of Davis and Foladare teach the subject matter. In addition Davis teaches a method comprising exchanging transaction between a groceries (916) and a credit card or mart card (920) that reads exchanging a transaction between a multifunctional portable base station and a limited access. (Fig. 9, col. 13 lines 15-40).

16. As per claim 12, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Davis teaches a communication between a bank and a wireless financial messaging unit (906). (Col. 22 lines 7-13).

17. As per claim 13, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Davis teaches

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smart card wireless access device accessing wireless information through base station (904) that reads enabling the limited function access device to have wireless access to services on the multifunction portable base station; (Fig. 9, col. 12 lines 30-60)

a wireless financial transaction between financial messaging unit (906) and a point of sale (916) through portable base station (904); (Fig. 9, col. 13 lines 15-40).

18. As per claim 15, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Davis teaches a secure messaging system between the limited access device and the multifunction portable base station to allow an exchange of confidential information of a user between the portable base station and the limited function access device. (Col. 18 lines 14-57, col. 19 lines 34-42, Fig. 11-16).

19. As per claim 16, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Davis teaches the association between a smart card and a financial regulator. (Col. 18 lines 14-30).

20. As per claim 17, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Davis teaches imported or routed messages to a paging terminal (102) in the data transmission that reads

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populating methods which are independent of location. (Col. 4 lines 13-30, Fig. 1).

21. As per claim 18, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Davis teaches an automatic transaction exchange access between portable base transaction and the limited access device (smart card). (Fig. 9).

22. As per claim 19, the combination of Davis and Foladare teach the subject matter claimed in claim 1. In addition Davis teaches an automatic wireless communications between the bank and credit card. (Col. 13 lines 12-40, Fig. 9).

23. Claims 9, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (Davis, U.S. Patent No. 6,378,073) in view of Foladare et al. (Foladare, U.S. Patent 6,044,267), and in further view of Lim (U.S. Patent 6,728,884)

24. As per claim 9, the combination of Davis and Foladare teach the subject matter claimed in claim 1, the combination fails to explicitly teach a biometric analysis device to validate an identity of a user.

However, Lim teaches a biometric method (thumbprint) to authenticate a user. (Col. 8 lines 16-34)

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Lim in the combination of Davis and Foladare, because biometric analysis is used to enhance security and provide a mechanism to govern access to one or more information resources in which selective access is given to particular users, a mechanism that is equally adaptable to an internal network environment and to an external network environment and which takes advantage of existing security mechanisms, and a mechanism that is easy to re-configure as new user applications and authentication techniques become available.

25. As per claim 14, Lim and the combination of Davis and Foladare teach the subject matter. In addition Lim teaches authentication profiles about users and manage information about access rights. (Col. 4 lines 31-33, Fig. 1) The rationale for combining are the same as claim 9 above.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eleni A Shiferaw whose telephone number is 703 305 0326. The examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703 305 9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eleni Shiferaw
Art Unit 2136


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